

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JUL 24 2000

Returned to applicant for correction _____

Corrected application filed AUG 02 2000

Map filed AUG 11 2000 UNDER 66605

The applicant **L.B. Acquisition, LLC**, a Nevada limited liability company, hereby makes application for permission to change the **Manner and Place of Use of a Portion** of water heretofore appropriated under **Permit 35554, Certificate 9769**

1. The source of water is **Underground (Well #3)**
2. The amount of water to be changed **0.704 CFS, not to exceed 324.27 Acre-feet**
3. The water to be used for **Recreation (Golf Course Irrigation)**
4. The water heretofore permitted for **Irrigation**
5. The water is to be diverted at the following point **NE¼ NW¼ Section 23, T. 16N., R. 19E., M.D.B.&M.; or at a point from which the SW corner of said Section 23 bears S. 25° 25' W., a distance of 4490.0 feet.**
6. The existing permitted point of diversion is located within **Unchanged**
7. Proposed place of use **See Attachment "A"**
8. Existing place of use **See Attachment "B"**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Drilled and cased well equipped with a motor, pump, meter and distribution system.**
12. Estimated cost of works **Completed under Permit 35554**
13. Estimated time required to construct works **Completed under Permit 35554**
14. Estimated time required to complete the application of water to beneficial use **Four (4) Years**
15. Remarks: **This application to change a portion of Permit 35554 is being filed to provide water for the Thunder Canyon Golf Course. Water to be co-mingled with waters under portions of Permits 18198, 20648, 23287, 30579, 30581, 50071 & 50072 on 171.13 Acres.**

By Gregory M. Bilyeu
s/ Gregory M. Bilyeu
P.O. Box 70458
Reno, NV 89570

Compared pe/ cmf 1b/ cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 35554, Certificate 9769 is issued subject to the terms and conditions imposed in said Permit 35554, Certificate 9769 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is supplemental to the waters of Musgrove Creek and Unnamed Creek. Through the issuance of this permit, it is expressly understood that the Musgrove Creek and Unnamed Creek waters must be used prior to any supplemental groundwater use.

A monthly report shall be submitted to the State Engineer within 10 days from the end of each month which shall include the amount of water pumped from the well and the amount of water used.

The total combined duty of water under Permits 66605, 66606, 66607, 66608, 66609, 66610, 66611 and 66612 shall not exceed 717.75 acre-feet annually.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.713 cubic feet per second, but not to exceed 328.495 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

February 11, 2005

Proof of completion of work shall be filed on or before:

March 11, 2005

Water must be placed to beneficial use on or before:

February 11, 2007

Proof of the application of water to beneficial use shall be filed on or before:

March 11, 2007

Map in support of proof of beneficial use shall be filed on or before:

March 11, 2007

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 11th day of February, A.D. 2003


State Engineer

Completion of work filed OCT 29 2003

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

ATTACHMENT "A"

7. Proposed Place of Use:

30.15 Acres, NW ¼ NE ¼, Section 23, T.16N., R.19E., M.D.B. & M.
1.06 Acres, SW ¼ NE ¼, Section 23, T.16N., R.19E., M.D.B. & M.
20.19 Acres, NE ¼ NW ¼, Section 23, T.16N., R.19E., M.D.B. & M.
18.27 Acres, NW ¼ NW ¼, Section 23, T.16N., R.19E., M.D.B. & M.
9.77 Acres, SW ¼ NW ¼, Section 23, T.16N., R.19E., M.D.B. & M.
16.80 Acres, NW ¼ SW ¼, Section 23, T.16N., R.19E., M.D.B. & M.
1.47 Acres, NE ¼ SW ¼, Section 23, T.16N., R.19E., M.D.B. & M.

14.65 Acres, NW ¼ NE ¼, Section 22, T.16N., R.19E., M.D.B. & M.
15.83 Acres, NE ¼ NE ¼, Section 22, T.16N., R.19E., M.D.B. & M.
12.54 Acres, SE ¼ NE ¼, Section 22, T.16N., R.19E., M.D.B. & M.
9.38 Acres, SW ¼ NE ¼, Section 22, T.16N., R.19E., M.D.B. & M.
2.01 Acres, NW ¼ SE ¼, Section 22, T.16N., R.19E., M.D.B. & M.
19.01 Acres, NE ¼ SE ¼, Section 22, T.16N., R.19E., M.D.B. & M.

171.13 acres total

Attachment "B"

8. Existing Place of Use

Acres	Quarter	Quarter	Section	Twncshp	Range
	NE	NE	23	16N	19E
26.6	NW	NE	23	16N	19E
	SW	NE	23	16N	19E
	SE	NE	23	16N	19E
34.6	NE	NW	23	16N	19E
2.4	NE	NW	23	16N	19E
0.8	NW	NW	23	16N	19E
31.9	NW	NW	23	16N	19E
26.8	SW	NW	23	16N	19E
0.5	SE	NW	23	16N	19E
123.6		TOTAL ACREAGE			

Acreage being removed under this application

Acres	Quarter	Quarter	Section	Twncshp	Range
	NE	NE	23	16N	19E
25.55	NW	NE	23	16N	19E
	SW	NE	23	16N	19E
	SE	NE	23	16N	19E
22.80	NE	NW	23	16N	19E
2.40	NE	NW	23	16N	19E
0.80	NW	NW	23	16N	19E
17.14	NW	NW	23	16N	19E
8.83	SW	NW	23	16N	19E
	SE	NW	23	16N	19E
77.52		TOTAL ACREAGE			